

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

KARIN DUDZIENSKI, individually, and on behalf of all others similarly situated,

Plaintiff,

VS.

No. 07 CV 3813

BCBG MAX AZRIA GROUP, INC.,
a California corporation, individually, and
d/b/a BCBG Max Azria; BCBG MAXAZRIA
HOLDINGS, INC., a California corporation,
individually, and d/b/a BCBG Max Azria;
BCBG MAXAZRIA INTERNATIONAL
HOLDINGS, INC., a California corporation,
individually, and d/b/a BCBG Max Azria;
and DOES 1-10,

Judge Milton I. Shadur

Magistrate Judge Morton Denlow

Defendants.

**PLAINTIFF’S MOTION FOR LEAVE TO FILE HER RESPONSE TO
DEFENDANTS’ MOTION TO TRANSFER PURSUANT TO 28 U.S.C. § 1404(a)
INSTANTER**

NOW COMES Plaintiff KARIN DUDZIENSKI, individually and on behalf of all others similarly situated, by and through counsel, and, for her *Motion for Leave to File Her Response to Defendants' Motion to Transfer Pursuant to 28 U.S.C. § 1404(a) Instante*, states as follows:

On August 31, 2007, Defendants filed the instant Motion To Transfer this matter to the Northern District of California, pursuant to 28 U.S.C. § 1404(a). On September 7, 2007, at the presentment of Defendant's Motion to Transfer, the Court directed the Defendants to answer outstanding discovery to afford the Plaintiff an opportunity to respond to Defendant's motion. At that time, the Court set a status date of October 4, 2007, for the parties to advise the Court regarding Defendants' responses to discovery. The Plaintiff anticipated that, at the October 4th status, the Court would set a briefing schedule on Defendant's Motion to Transfer.

However, on September 18, 2007, the Court, *sua sponte*, directed the Plaintiff to submit this written submission for its consideration.

Plaintiff's counsel have been working virtually exclusively on the drafting of an appellate brief in the appeal of a child custody trial, in the matter of *In re: The Marriage of Deborah Orlando Cooney*, Appellate Court No. 2-07-0758. That brief was filed on September 25, 2007.

Thereafter, Plaintiff's counsel attended 2 depositions, filed numerous pleadings/discovery in other cases, and began preparing for trial in the matter of *Wittner v. Hot Dog Who Ate Chicago*, Court No. 04 L 11807, which is scheduled to start trial on October 16, 2007.

Pursuant to this Court's standing order, Plaintiff's counsel requested Defendants' counsel's agreement for a 1-day extension of time to respond to the motion to transfer. Defendants' counsel agreed to this extension.

WHEREFORE, Plaintiff KARIN DUDZIENSKI, individually, and on behalf of all others similarly situated, prays that the Court enter an order allowing her to file her response to Defendants' Motion to Transfer instanter.

Plaintiff KARIN DUDZIENSKI, individually, and on behalf of all others similarly situated,

By: s/ Thomas A. Zimmerman, Jr.
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